

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

NORMA P.,

:

Plaintiff,

v.

:

Case No. 3:21-cv-127

COMMISSIONER OF THE
SOCIAL SECURITY
ADMINISTRATION,

:

JUDGE WALTER H. RICE

Defendant.

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #26); REVERSING COMMISSIONER'S NON-DISABILITY FINDING; MAKING NO FINDING AS TO WHETHER PLAINTIFF WAS UNDER A "DISABILITY"; REMANDING TO SOCIAL SECURITY ADMINISTRATION UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g) FOR FURTHER CONSIDERATION; JUDGMENT TO BE ENTERED IN FAVOR OF PLAINTIFF AND AGAINST DEFENDANT; TERMINATION ENTRY

On July 6, 2022, United States Magistrate Judge Caroline H. Gentry issued a Report and Recommendations, Doc. #26, recommending that the Court reverse the Commissioner's non-disability finding, make no finding as to whether Plaintiff was under a "disability" within the meaning of the Social Security Act, and remand the case to the Social Security Administration under Sentence Four of 42 U.S.C. § 405(g) for further consideration.

Judgment was mistakenly entered the same day. Doc. #27. The following day, that mistake was corrected on the docket and the deadline for filing

Objections to the Report and Recommendations was reset to July 21, 2022. No Objections have been filed within the time allotted.

Based on the reasoning and citations of authority set forth in the Report and Recommendations, and on a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS the Report and Recommendations, Doc. #26, and REVERSES the Commissioner's non-disability determination. The Court makes no finding as to whether Plaintiff was under a "disability" within the meaning of the Social Security Act. The Court REMANDS this matter to the Social Security Administration under Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations.

Judgment shall be entered in favor of Plaintiff and against Defendant.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: August 1, 2022



WALTER H. RICE
UNITED STATES DISTRICT JUDGE